

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 25, 1977  
10:00 A.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino

Absent: None

Mr. Hugh Standifer, Director of Data Systems, gave the Invocation.

UNION LABEL WEEK

The week of September 5-10, 1977, has been proclaimed Union Label Week, in a proclamation read by Mayor Pro Tem Snell, urging all citizens of Austin to join in the recognition of the dedicated efforts of the AFL-CIO. Mr. Walter Timberlake and Ms. Floy Windham accepted the proclamation with their thanks on behalf of the union members of Austin.

EQUALITY DAY

Councilmember Himmelblau read a proclamation naming August 26, 1977, Equality Day. On that day, in the continuing effort to seek passage of the Equal Rights Amendment, the National Organization of Women is sponsoring a fund raising Walkathon. Accepting the proclamation, with her thanks, was Victoria Worsham.

## NORTHWEST AUSTIN COLTS LEAGUE ALL-STARS

A resolution, signed by the Mayor and members of the City Council, citing the Northwest Austin Colts League All-Stars for capturing the Southwest Division in a double-header victory and for their second place tie in the Colt League World Series, was read by Councilmember Mullen. Coach Bob Mitchell accepted the resolution for his team and introduced the team members, individually.

## NATURAL SCIENCE GUILD DAY

Councilmember Trevino read a proclamation denoting September 3, 1977, as NATURAL SCIENCE GUILD DAY. On that day the Guild will hold its ninth annual fund raising benefit, "Equestrian Euphoria" at Manor Downs to raise money to provide educational exhibits at the new Natural Science Center to be built in Zilker Park. Accepting the proclamation with her thanks, on behalf of the Science Guild, was Chris Attal.

## APPROVAL OF MINUTES

Mayor Pro Tem Snell moved that the Council approve the Minutes of August 11, 1977, as amended on Page 5; and the Minutes of August 18, 1977. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

## AGENDA ITEMS WITHDRAWN

Mayor McClellan announced that the following agenda items would not be heard today:

- E.4. Considering revising the 1977 (3rd Year) HCD Application
- E.5. Consider amending the 1976 (2nd Year) HCD Budget
- E.7. Consider proposed Affiliation Agreement between Brackenridge Hospital School of Nursing and Westminster Hospital for additional clinical experience for nursing students.
- E.20. Consider authorizing execution of an annual agreement between the Austin-Travis County Health Department and the Texas Department of Health Resources. (October 1, 1977, through September 30, 1978)
- F.8. Consider approving the 1977-82 Capital Improvements Program and appropriating funds for fiscal year 1977-78.

## ZONING HEARINGS

The Mayor announced that the Council would hear the zoning cases scheduled for 10:00 a.m. Pursuant to published notice thereof, the following zoning cases were publicly heard:

The Council had before it for consideration the following zoning cases:

JOE GILBRETH & CO. INC., ET AL By Phil Mockford C14-76-078	U.S. Highway 183, Oceanaire Boulevard and Country Club Drive	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area RECOMMENDED by the Planning Commission
GEORGE GALE PRICE C14-77-077	11611 U.S. Highway 183	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area RECOMMENDED by the Planning Commission
JOHN MANG C14-77-079	13629 U.S. Highway 183	From Interim "AA" Residence 1st Height and Area To "C" Commercial 1st Height and Area RECOMMENDED by the Planning Commission
RICHARD L. MATZ & EMILE JAMAIL By S. A. Garza C14-77-090	11474-11484 U.S. 183 11901-11947 Oak Knoll Drive 12004-12014 and 11981- 12013 Jollyville Road	From Interim "AA" Residence 1st Height and Area To "GR" General Retail (Tract 1), "O" Office (Tract 2), and "A" Residence (Tract 3) 1st Height and Area RECOMMENDED by the Planning Commission

Councilmember Mullen asked how the Council felt about including a buffer on U.S. 183 as a condition of the zoning whenever a zoning case involving this Highway appears for approval. He said they should do something to prevent another Burnet Road. He said there is nothing in today's proposals which had anything to do with buffering. Councilmember Cooke commented his agreement with Councilmember Mullen. He said in analyzing these particular zoning cases, some of them existed prior to being annexed into the City. He asked for comment from the Planning Commission as to the hardship it would incur on the property owners to put buffering on property which already contains a building.

Mr. Lillie responded to the question by stating there is a dental office in Case C14-76-078, located on the corner of the property. The rest of the property is undeveloped. Councilmember Mullen stated people keep saying they do not want another Burnet Road on 183, and the way to do that is to have buffering. He felt a precedent should be set today which would be followed on all future zoning restrictions for U.S. 183.

Mr. Lillie, Director of Planning, said his department is proceeding with Mr. Ternus, Director of Urban Transportation, on a study concerning this which has already been requested by the Council. He said they are also in the process of developing an ordinance that would provide some landscaping on a certain percentage of the front tract. Mr. Lillie said the ordinance is not quite ready and does not feel cases in progress should be burdened with it until stabilized consistency can be assured. Councilmember Cooke said there were already several pieces of property which have been annexed into the City and not yet zoned. He said the tenants or owners of the property will eventually come before Council for zoning based on the use of their property at this time. In the attempt to create a better-looking arterial, and to work to the advantage of the property owners and the City, how can this be accomplished at this time, he asked.

If the buffering is not imposed now, Councilmember Cooke said, then the people who are zoned after a buffering ordinance is passed, will ask "Why impose this on me when you have not imposed it on them?"

MR. PHIL MOCKFORD, representing Case C14-76-078, appeared before Council and said this case was first filed in 1976. There has been a history thus far, he said, of sporadic required buffering on U.S. 183. He said that it had been stated there would be no more zoning on major arterial highways until an ordinance regarding buffering is passed. He said his client has been waiting a year for the zoning so that he can develop the property. Mr. Mockford said if the buffering is going to be applied, it should be done uniformly. His client has waited a year before reactivating the case, waiting for some ruling on uniformity.

Councilmember Goodman asked if he would have any objection to a 10-foot or 15-foot buffer now. Mr. Mockford said he would as it would be a burden on the property owner to give up land that is worth \$2.00 a foot for the planting of trees. He said he is for the buffering ordinance, but if it is implied for all major arterials, then he feels many problems will arise. Councilmember Himmelblau said she thought if the Council could be careful with curb cuts, she felt that was about all they could do on U.S. 183 at this point. She said they cannot go back and take up the property which has already been developed. She pointed out that they are piecemealing the buffering when they require it here and there. Councilmember Cooke stated agreement concerning already developed property, but felt consideration should be given to any property being looked at now.

After further discussion concerning the pro's and con's of required buffering, what has been done, what can be done, Councilmember Goodman asked how buffering would effect the cases before the Council today. Mr. Lillie said Mr. Price's case does have an improvement on it, and Mr. Mang's case also has an improvement on it. Mr. Cooke asked Mr. Lillie how long it would take to look at the zoning on 183 that has been done in the last year. Mr. Lillie said he could look at the pattern of zoning, excluding property already in use prior to annexation, and try to have it before the Council later today. Mayor McClellan told Mr. Lillie to proceed with the study and they would discuss these cases later in the day.

In the afternoon, Mr. Lillie appeared before Council to state that since the area along 183 has been annexed, there have been 24 zoning cases received by the Planning Department. Of these, 12 include land which is developed, and that includes the Price and Mang cases under consideration today. Twelve of the cases are not developed and the status of those is as follows: Five were approved prior to June, 1977, and of those five, two are now developed, one is partially developed, and the case discussed this morning by Mr. Mockford is being developed. There is only one case approved prior to June, 1977, that is still undeveloped, which, Mr. Lillie said, is across from the new Chevrolet dealer (across the highway). One case has been approved since June, 1977. It is across the street from the Matz & Jamail case, which is on today's agenda. It was approved last month, Mr. Lillie stated. The case referred to is on the west side of the street called Private Drive and was approved last month, by the Council, without a buffer. The Matz & Jamail case on today's agenda, is across the street from that, on the lot which shows realtor on the corner, with the remainder of the lot undeveloped. Mr. Lillie commented that two other cases approved earlier, have undeveloped frontage. One, he said, is the Texas Instruments plant site which has buildings clear back, but they did agree to a 25-foot easement along the front. Across the street from TI there was a case, he continued, that required 25 feet of "A" Residence along the frontage, with which the applicant did not agree and that zoning is still pending.

Mr. Lillie noted there are two other cases other than the one where development is proceeding according to Mr. Mockford's earlier statements, and the Matz & Jamail case. One, he said, will be before the Planning Commission in September and the second is the Bell Avenue case, which will be before Council on September 8, 1977, which is undeveloped.

Councilmember Cooke said that if the present Council set a precedent, they set it with the case they passed last month, by not requiring buffering on the zoning case across from TI. Mr. Lillie indicated on a map which property is already zoned on 183, as opposed to that property which will be zoned in the future. Councilmember Mullen commented it looked like about 60% to 70% is still undeveloped. Councilmember Himmelblau asked Mr. Lillie why there isn't consistency with the Planning Commission. She said the old Council zoned with an "A" Residence strip on 3 or 4 properties out there. "One month we see it and one month we don't," she commented. Mr. Lillie replied that every two years there is a change in Planning Commission members, also. Mr. Lillie stated he is in agreement that a policy or ordinance should be developed to be effective across the board and not treat people differently. Councilmember Cooke commented that no matter what one does at this point, the people who come in the future on the undeveloped land will say, "You didn't do it for the other people, why are you doing it to me?" Mr. Lillie said the ordinance draft they are preparing would effect all undeveloped land along major arterial streets. It will also effect developed land if that land was totally torn down and re-developed. In all other cases if an individual were expanding or remodeling, the buffering would have no impact. He said he felt driveway spacing is extremely important along the major highways and streets. There would have to be, he said, in addition to a decision on buffering, a ruling as to how many driveways per tract, and how far apart to put them. He said the unofficial policy now is that driveways should not be closer than 300 feet.

Councilmember Mullen still expressed his conviction that there should be buffering.

Motion

Councilmember Mullen moved that the Council approve zoning case C14-76-078, as recommended by the Planning Commission, with the additional stipulation there would be a 10-foot buffer of "A" Residence. Councilmember Goodman seconded the motion.

Mr. Lillie stated the buffering could be on either "AA" Residence or "A" Residence, but there should be an allowance in the motion for the location of driveways. He said the ordinance does not permit driveways to cross residential zoning, there has to be "O" Office or more permissive to permit driveways. On the property adjacent to the case in the motion, the driveways are spaced every 300 feet, he said.

Mayor McClellan told Councilmember Mullen she agrees with his reasoning, but said she thought they were "single-shotting out of the blue." She said the Planning Commission needs to be instructed to come up with a policy that can be administered consistently and fairly.

Councilmember Goodman said he thought they should reconsider the zoning case they had decided in June. Councilmember Cooke suggested that until a policy is definitely established, all of those coming in with zoning cases should be told that the Council would like to see buffering put in.

Mr. Lillie, in answer to questioning by the Mayor, said it would probably take four to six weeks before an ordinance regarding buffering would be ready for Council consideration...probably the latter part of October or even the end of the year.

There was further discussion concerning what should be included in the motion.

Motion ReStated

Councilmember Mullen moved that the Council approve zoning case C14-76-078, as recommended by the Planning Commission, with the additional stipulation of a 10-foot buffer of "A" Residence and driveway to be worked out and brought back to the Council. Councilmember Goodman seconded the motion.

Substitute Motions

JOE GILBRETH & CO.  
INC., ET AL  
By Phil Mockford  
C14-76-078

U.S. Highway 183,  
Oceanaire Boulevard and  
Country Club Drive

From Interim "AA" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Mayor Pro Tem Snell moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The substitute motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell  
Noes: Councilmembers Goodman, Mullen

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area, and the City Attorney was instructed to draw the necessary ordinance to cover.

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<p>GEORGE GALE PRICE C14-77-077</p>	<p>11611 US. Highway 183</p>	<p>From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area RECOMMENDED by the Planning Commission</p>
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Mayor Pro Tem Snell made a substitute motion that the Council grant "GR" General Retail, 1st Height and Area, as recommended by the Planning Commission. The substitute motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell  
Noes: Councilmembers Goodman, Mullen

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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<p>JOHN MANG C14-77-079</p>	<p>13629 U.S. Highway 183</p>	<p>From Interim "AA" Residence 1st Height and Area To "C" Commercial 1st Height and Area RECOMMENDED by the Planning Commission</p>
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Mayor Pro Tem Snell made a substitute motion that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The substitute motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell  
Noes: Councilmembers Goodman, Mullen

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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RICHARD L. MATZ & EMILE JAMAIL By S. A. Garza C14-77-090	11474-11484 U.S. 183 11901-11947 Oak Knoll Drive 12004-12014 & 11981- 12013 Jollyville Road	From Interim "AA" Residence 1st Height and Area To "GR" General Retail (Tract 1), "O" Office (Tract 2) and "A" Residence (Tract 3) 1st Height and Area RECOMMENDED by the Planning Commission
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Mayor Pro Tem Snell made a substitute motion that the Council grant "GR" General Retail (Tract 1), "O" Office (Tract 2) and "A" Residence (Tract 3), 1st Height and Area District, as recommended by the Planning Commission. The substitute motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell  
Noes: Councilmembers Goodman, Mullen

The Mayor announced that the change had been granted to "GR" General Retail (Tract 1), "O" Office (Tract 2) and "A" Residence (Tract 3), 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan requested that Mr. Lillie present a zoning policy to the Council, from the Planning Commission, as soon as possible. Mr. Lillie told the Mayor the Commission was having an orientation session this coming Saturday and would work on it. Councilmember Himmelblau asked what had happened to the work already completed, and Mr. Lillie stated they had some drafts as a result of previous study.

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EMILE JAMAIL By John Noell C14-77-074	12100 Jollyville Road	From Interim "AA" Residence 1st Height and Area To "A" Residence 1st Height and Area RECOMMENDED by the Planning Commission
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Councilmember Cooke moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ARCHIE H.  
GOLDEN, ET AL  
C14-77-080

2803 Sweeney Lane

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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T. C. (BUCK)  
STEINER, ET AL  
By Phil Mockford  
C14-77-083

828-836 U.S. Highway  
183 (south)

From Interim "AA" Residence  
1st Height and Area  
To "DL" Light Industrial and  
"O" Office  
1st Height and Area  
RECOMMENDED by the Planning  
Commission as amended

Councilmember Cooke moved that the Council grant "DL" Light Industrial and "O" Office, 1st Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the change had been granted to "DL" Light Industrial and "O" Office, 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

A man in the audience, who did not identify himself, said he owns a mobile home park immediately adjacent to the property in question. He said he thought the recommended change was too drastic and would make it difficult for him to find renters because of the extra noise which would result from truck traffic, etc. Mr. Lillie pointed out the property is in one of high noise area due to the proximity of Bergstrom Air Force Base. Councilmember Himmelblau asked if Mr. Mockford's client would put up 6 feet of privacy fencing. Mr. Mockford replied he thought that would be out of line since it would involve 1,970 feet of fencing. He said that would run next to a street. Councilmember Himmelblau wondered if there was any way it could be converted from street usage, and Mr. Lillie informed her it could be done through their zoning. After further discussion, the vote was taken.

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EDWARD J. PETRUS  
By Leopold Danze  
C14-77-087

1110 William Cannon  
Drive

From "O" Office  
1st Height and Area  
To "LR" Local Retail  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "LR" Local Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

KENNETH S. HAWKINS  
C14-77-093

11232-11304 Jolly-  
ville Road

From Interim "AA" Residence  
1st Height and Area  
To "BB" Residence  
1st Height and Area  
RECOMMENDED as amended, by the  
Planning Commission

Councilmember Cooke moved that the Council grant "BB" Residence, 1st Height and Area District, as recommended by the Planning Commission, as amended. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the change had been granted to "BB" Residence, 1st Height and Area, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

RICHARD DAYWOOD  
By Katherine Ammer  
C14-77-095

7701 East M.L. King  
Boulevard

From Interim "AA" Residence  
1st Height and Area  
To "LR" Local Retail  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council grant "LR" Local Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

MECON PROPERTIES  
By Dr. Walter Meyer  
C14-77-062

908 Romeria Drive

From "A" Residence  
1st Height and Area  
To "B" Residence  
1st Height and Area

RECOMMENDED by the Planning Commission, subject to a restrictive covenant providing for a site plan limiting the number of residential units to ten (10) including two single-story structures on the north and privacy fencing on the north and west; and dedication of five (5) feet of right-of-way on Romeria Drive.

Applicant present. Mr. Lillie reviewed the application by use of slides.

Councilmember Himmelblau moved that the Council grant "B" Residence, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino,  
Mayor McClellan, Mayor Pro Tem Snell  
Noes: None

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ODUS S. CRUMLEY &  
ALBERT HEINE  
C14-77-085

1408-1410 Koenig  
Lane

From "A" Residence  
1st Height and Area  
To "LR" Local Retail  
1st Height and Area

RECOMMENDED by the Planning Commission subject to dedication of fifteen (15) feet of right-of-way on Koenig Lane and a Restrictive covenant providing for a privacy fence on the north and west.

Applicant present. Mr. Lillie reviewed the application by use of slides.

Councilmember Himmelblau moved that the Council grant "LR" Local Retail, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmember Cooke

Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. ALICE EMMONS            1004-1006 West 31st  
By Douglas W.                Street  
Wohlfahrt  
C14-77-094

From "A" Residence  
5th Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED by the Planning  
Commission, as amended, "O"  
Office on the front 60 feet  
of the western lot (after  
right-of-way) and on the  
entire eastern lot, subject  
to dedication of 6 to 11 feet  
of right-of-way on West 31st  
Street.

Applicant present. Mr. Lillie reviewed the application by use of slides. MR. ROGER JOSEPH, who lives on West 31st Street, appeared before Council with a petition opposing the re-zoning for the following reasons:

1. Street has charm and character with well-maintained residences.
2. It has St. Andrew's School and the West 31st Street entrance to the Hike and Bike Trail.
3. There is already a severe parking problem.
4. Change in zoning could set precedence for rest of neighborhood.

Mr. Joseph was informed that the petition would have to be checked to see whether or not it was a valid petition, containing signatures of 20% of the home owners within a 300 foot area. (The petition was checked by Mr. Lillie who returned later in the day to announce the petition contained 8.7% of the home-owners in a 300-foot area, and therefore was not valid, and would not effect the vote as taken.) Mayor McClellan commented that Dr. Wohlfahrt, who is buying the property, intended to use one residence for his medical office and one residence as a home for his mother-in-law.

MRS. WATKINS, the daughter of the owner, Mrs. Alice Emmons, appeared in her mother's behalf. She said her mother's property has been encroached with commercial property and she has fought it, but now it is enclosed by commercial zoning. She felt Dr. Wohlfahrt's office would not create a traffic burden since he has a solo practice.

Dr. Wohlfahrt appeared before Council to state he would keep the exterior of the homes unchanged. He said there would be a parking area in front of the office, and maximum traffic would be about 5-6 cars an hour.

Motion

Councilmember Mullen moved that the Council grant "O" Office on the front 60 feet of the western lot (after right-of-way) and on the entire eastern lot, as recommended by the Planning Commission, subject to conditions. The motion was seconded by Councilmember Cooke.

Amendment to the Motion

Councilmember Goodman moved an amendment to the motion to accept the recommendation of the Planning Commission, with a restrictive covenant that the present structure be used as zoned, and if present usage ceases, then zoning will revert to "A" Residence. The amendment, seconded by Mayor McClellan, failed to carry by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmember Goodman  
 Noes: Councilmembers Mullen, Trevino, Cooke  
 Abstain: Councilmember Himmelblau

Roll Call on Original Motion

Ayes: Councilmembers Mullen, Trevino, Cooke, Goodman  
 Noes: Mayor McClellan, Mayor Pro Tem Snell  
 Abstain: Councilmember Himmelblau

The Mayor announced that the change had been granted to "O" Office on the front 60 feet of the western lot (after right-of-way) and on the entire eastern lot, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

SWEDISH LOG CABIN  
 City of Austin,  
 owner  
 C14h-77-021

Zilker Park Garden  
 Center

From Interim "A" Residence  
 1st Height and Area  
 To "A-H" Residence-Historic  
 1st Height and Area  
 RECOMMENDED by the Planning  
 Commission

Councilmember Goodman moved that the Council grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino  
 Noes: None

The Mayor announced that the change had been granted to "A-H" Residence-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ESPERANZA SCHOOL  
City of Austin,  
owner  
C14h-77-022

Zilker Park Garden  
Center

From Interim "A" Residence  
1st Height and Area  
To "A-H" Residence-Historic  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Goodman moved that the Council grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

The Mayor announced that the change had been granted to "A-H" Residence-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

MILLBROOK  
Ernest R. Hardin  
& Kenneth Newell,  
owners  
C14h-77-024

1803 Evergreen  
Avenue

From "B" Residence  
1st Height and Area  
To "B-H" Residence-Historic  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Goodman moved that the Council grant "B-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

The Mayor announced that the change had been granted to "B-H" Residence-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

TMI CASTLE  
Rosa Kunz, et al  
owners  
C14h-77-026

1111 West 11th Street

From "B" Residence  
2nd Height and Area  
To "B-H" Residence-Historic  
2nd Height and Area  
RECOMMENDED by the Planning  
Commission

Mr. Lillie reviewed the application by use of slides. He said the approval of recommended zoning would require 6 votes, as there has been a valid petition presented opposing the zoning. The owner, Ms. Rosa Kunz, is opposed to the zoning.

Councilmember Himmelblau said she remembered in a zoning about three years ago the Council restricted the height of a building because of the historical significance of TMA Castle. She said her feeling is that the Landmark Commission is completely right in their recommendation.

MS. ELIZABETH HAMILTON, residing at 1002 Taylor on property abutting the case in question, appeared as a member of the Castle Hill Conservation Committee. She gave a brief history of the structure which, originally, was the Texas Military Academy. Ms. Hamilton said she is in favor of the historic zoning.

MR. PHILIP CREER, Chairman, Historic Landmark Commission, appeared to say that the TMI has been a part of the Austin skyline since 1870 and meets 11 of the 15 criteria qualifying it for historical zoning.

Councilmember Goodman moved that the Council grant "B-H" Residence-Historic, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the change had been granted to "B-H" Residence-Historic, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ODUS S. CRUMLEY  
C14-77-084

1207 Clearfield Drive

From Interim "A" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area  
NOT Recommended by the  
Planning Commission

Applicant present. Mr. Lillie reviewed the application by use of slides. Councilmember Himmelblau asked how the staff would feel about zoning this "GR" General Retail. Mr. Lillie replied that if property has frontage on a major street, "C" Commercial, "GR" General Retail, or "LR" Local Retail is probably appropriate, but if the property only has frontage on a street entering a possibility of strip zoning is then introduced. As a result, he said they recommend that "C" Commercial zoning not be granted on property with frontage on a connecting street. Mr. Lillie said this application is a marginal situation and if the Council feels there is enough "BB" Residence as a buffer between it and the residential area, then the Council can proceed with any type of zoning. He said the Planning Commission felt "C" Commercial to be too intensive.

Councilmember Himmelblau moved that the Council grant "GR" General Retail, 1st Height and Area, with a privacy fence on the east. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen,  
Trevino, Mayor McClellan, Mayor Pro Tem Snell  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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BERTRAM STORE BUILDING Taylor Gaines, owner C14h-77-016	1601 Guadalupe Street	From "C" Commercial 3rd Height and Area To "C-H" Commercial-Historic 3rd Height and Area NOT Recommended by the Planning Commission
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Applicant present. Mr. Lillie reviewed the application by use of slides. He said the Planning Commission had voted to not recommend the zoning, and the Landmark commission had voted to zone it "C-H". The owner is opposed to the zoning on the grounds that it would be an economic hardship. Councilmember Goodman asked what the economic hardship would be. MR. DONALD DUMAS, attorney representing the owner, related some of the history of the building which now houses the "Red Tomato," Mr. Dumas then cited figures of income on the property and how much more rent the owner should get. He said if the property were zoned "C-H" Commercial-Historic, then changes could not be made to the building to accomodate a lessee. After further discussion as to how "C-H" zoning might possibly effect the building, the following motions were made:

Motion

Councilmember Mullen moved that the Council accept the recommendation of the Planning Commission. Councilmember Cooke seconded the motion.

Substitute Motion

Councilmember Himmelblau made a substitute motion that the Council uphold the Landmark Commission and designate the Bertram Store Building "C-H" Commercial-Historic. The substitute motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem  
Snell, Councilmembers Goodman, Himmelblau  
Noes: Councilmembers Cooke, Mullen

The Mayor announced that the change had been granted to "C-H" Commercial-Historic, 3rd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

After the vote, Mr. Philip Creer, Historic Landmark Commission, appeared in support of the "C-H" zoning, and Councilmember Goodman commented that the Council should decide what is historic before all the buildings are torn down.

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Zoning Withdrawn

LEONARD FRANKLIN  
By Mark Summers  
C14-77-091

619 West 31-1/2 Street  
622 West 31st Street

From "BB" Residence  
1st Height and Area  
To "B" Residence  
1st Height and Area  
NOT Recommended by the  
Planning Commission

Mr. Lillie reviewed the application by use of slides. MR. HUGHES, a member of the Steering Committee of the neighborhood Heritage Group, appeared to say they would agree to withdrawal but would like for the zoning to be "A" Residence.

Councilmember Goodman moved that the Council grant the request for withdrawal of the zoning case. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino,  
Mayor McClellan, Mayor Pro Tem Snell, Councilmember Cooke  
Noes: None

The Mayor announced that the zoning case had been WITHDRAWN.

Zonings Denied

JAMES L. BOWMAN,  
D.D.S.  
C14-77-076

315 West 35th Street

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
NOT Recommended by the  
Planning Commission

Applicant present. Mr. Lillie reviewed the application by use of slides. He said there was a valid petition against the "O" zoning. Dr. Bowman, the applicant appeared and presented a petition he had to allow the "O" zoning. He went into details of why he purchased the property, when, and how he intended to use it as his dental office.

STROUD KELLEY, a resident in the neighborhood, appeared to say "O" Office zoning would be an intrusion into a residential neighborhood and it would be spot zoning if granted.

NELS PEARSON appeared before the Council to object to the zoning as a resident in the area. He lives at 403 West 35th. He said business does not belong on the street.

JOHN MALDEN, 301 West 35th Street, appeared to express his opposition to "O" Office zoning.

A resident, who did not identify herself, living at 403 West 35th, appeared to express opposition to "O" Office zoning.

KIRK SCHULZ, 400 West 33rd, is opposed to "O" Office zoning in a residential area.

Councilmember Trevino moved that the Council deny the zoning change. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
 Noes: Councilmember Mullen

The Mayor announced that the zoning had been DENIED.

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CRUCHON HOME  
 Lou Nora Spiller,  
 owner  
 C14h-77-027

1200 Windsor Road

From "B" Residence  
 1st Height and Area  
 To "B-H" Residence-Historic  
 1st Height and Area  
 NOT Recommended by the  
 Planning Commission nor the  
 Landmark Commission

Applicant present. Mr. Lillie reviewed the application by use of slides. MR. PHILIP CREER appeared and requested that the Council refer this zoning case back to the Landmark Commission.

#### Motion

Councilmember Goodman moved that the Council refer this zoning case back to the Landmark Commission. Councilmember Himmelblau seconded this motion.

MARK EIDMAN, a tenant in the Cruchon Home, appeared on behalf of the owner, Ms. Spiller. He asked that the Planning Commission's recommendation be upheld. He said only a part of the structure goes back to 1880 and there are five other buildings on the property which do not fall in the historic zoning category. He said that Mrs. Spiller would suffer economic hardship in her ability to sell the property at some later date. He pointed out that she is an elderly woman who has spent considerable time in hospitals and this property is her main economic holding.

MS. LOU NORA SPILLER appeared in her own behalf and reviewed the history of why she bought the house and how she had restored it. She asked that the "B-H" zoning be denied. She commented on the excellent condition she had kept the house in.

Councilmember Mullen questioned the voting of the Landmark Commission and found that Mr. Creer had been on the losing side in the vote. He said he did not think it was good to start letting someone who cast a losing vote request zoning be sent back in order to give them more time for arguing. Mr. Creer replied that he thought a minority report is always in order.

#### Substitute Motion

Councilmember Trevino made a substitute motion to uphold the recommendations of both commissions and DENY the zoning change. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Himmelblau, Mullen, Trevino  
Noes: Councilmember Goodman

The Mayor announced that the zoning had been DENIED.

Pending Zoning Applications

RICHARD B. ROBINSON ET UX C14-74-014	1139D-1141D Springdale Road	From "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area RECOMMENDED Extension by the Planning Commission, deleting the subdivision requirement and dedicate right-of-way by street deed.
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Councilmember Trevino moved that the Council grant the extension, as recommended by the Planning Commission, deleting subdivision requirement and dedicate right-of-way by street deed. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the zoning had been EXTENDED, subject to conditions.

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COMMERCE PARK ASSOCIATION By Wm. Terry Bray C14-74-020	704-714 Nelray Boulevard and rear of 5501-5511 North Lamar Boulevard	From "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area RECOMMENDED EXTENSION by the Planning Commission.
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Councilmember Trevino moved that the Council grant the extension, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the zoning had been EXTENDED.

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EDWARD R. RATHGEBER      6900-7014 Nuckols  
 JR., ET AL                      Crossing Road  
 By Tom Curtis  
 C14-74-022

From Interim "A" Residence  
 1st Height and Area  
 To "GR" General Retail  
 1st Height and Area  
 RECOMMENDED EXTENSION by the  
 Planning Commission, deleting  
 subdivision and curb cut  
 limitation requirements;  
 dedicate right-of-way by  
 street deed.

Councilmember Trevino moved that the Council grant the extension, as recommended by the Planning Commission, deleting subdivision and curb cut limitation requirements; dedicate right-of-way by street deed. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
 Himmelblau, Mullen, Trevino, Mayor McClellan  
 Noes: None

The Mayor announced that the zoning had been EXTENDED, subject to conditions.

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FAWNRIDGE DEVELOP-      7901-7907 South 1st  
 MENT CORPORATION      Street, also bounded  
 By Robert L. Davis      by Dittmar Road and  
 C14-74-028                      Boggy Creek

From Interim "A" Residence  
 1st Height and Area  
 To "LR" Local Retail  
 1st Height and Area  
 RECOMMENDED EXTENSION by the  
 Planning Commission, deleting  
 subdivision and curb cut  
 limitation requirements;  
 dedicate right-of-way by  
 street deed.

Councilmember Trevino moved that the Council grant the extension, as recommended by the Planning Commission, deleting subdivision and curb cut limitation requirements; dedicate right-of-way by street deed. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
 Himmelblau, Mullen, Trevino, Mayor McClellan  
 Noes: None

The Mayor announced that the zoning had been EXTENDED, subject to conditions.

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ROBERT G. W.  
GIRLING  
C14-74-036

1404 North Loop  
Boulevard

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED EXTENSION by the  
Planning Commission

Councilmember Trevino moved that the Council grant the Extension as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers: Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan

Noes: None

The Mayor announced that the zoning had been EXTENDED.

#### RECESS

The Council recessed at 1:45 p.m. and resumed it's meeting at 2:05 p.m.

#### AFTERNOON SESSION

Mayor McClellan called the recessed meeting to order at 2:05 p.m.

#### PUBLIC HEARING ON PUBLIC TRANSPORTATION PLAN

Mayor McClellan opened the public hearing scheduled for 10:30 a.m. to hear the Public Transportation Plan.

PAT GREGORY, Transportation Administrator, Urban Transportation Department, through the use of slides, outlined the Plan to the Council. When the City acquired the transit system, a short-range Transit Action Program 1972-77 was undertaken to produce a substantial increase in ridership by expanding routes, increasing operating hours and instituting a new fare structure. Most of those goals had been achieved. The primary objective of the new Plan was to provide dependable and convenient transit service to major destinations within the urban area through a flexible concept of operations so that the system could respond to variations in travel patterns. Operations were organized around area and local terminals serving as transfer points between different transportation modes and types of transit services. Radial, crosstown and feeder routes would be used to provide economical maximum route coverage. Local and express service would be offered and express service would be enhanced by using signal pre-emption, by-pass ramps at freeway entrances, reserved curb or center bus lanes and contra-flow lanes.

Bus frequencies on all routes would be determined by ridership and implementation schedules. The goal for most routes would be 15-minute frequencies during peak periods and 30 minutes during off-peak periods, evenings and Sundays. Connections would be scheduled to minimize transfer waiting time.

The following specialized services would be available:

1. Individualized transit for the mobility impaired
2. Demand response service
3. Subscription service
4. Seasonal service

Existing roadways would be used to provide a high level of service which would not adversely impact neighborhoods.

The Council's decisions would determine the ultimate cost, ridership, and related impacts of the system, with alternative strategies for implementing desired improvements available with variations in time and funds. Capital expenditures for the suggested level of service and implementation would cost \$21 million, while the net annual operating cost of the system, excluding any state or federal financial assistance would be nearly \$8 million.

Coordination between the City and The University of Texas bus systems could improve services while maintaining operating standards of both systems.

The Austin Tomorrow Program and major transit studies identified desired characteristics of transit service, some of which are dependability, convenience, economy, low energy use, low pollution per person and flexibility. Those characteristics are emphasized in the proposed transit plan. The plan had been reviewed by many neighborhood associations, City boards and commissions and other interested citizens. It was also unanimously endorsed by the Urban Transportation Commission and the Planning Commission.

Mr. Joe Ternus, Urban Transportation Director, stated that preparation of the Plan had been a team effort. He recommended that the Council adopt the Plan as an amendment to the City's Master Plan. Such action would commit no City funds today. That commitment would be reviewed by the Council through the Capital Improvements Program and operating processes each year.

In response to Councilmember Himmelblau's question regarding demand response, Mr. Ternus stated that an individual would call a special transit telephone number and would then be transported to a terminal via taxicab (under contract with the City) or by transit bus. Councilmember Himmelblau felt that if the Council adopted the Plan, they would be locked in. Mr. Ternus disagreed, saying that the Plan was designed to give the Council ultimate flexibility each year when reviewing the CIP and operating budgets. Councilmember Cooke expressed concern that if the Council accepted the Plan, they would be making an initial commitment to look at it from the point of view of some day arriving at an operating budget that would be running \$7 million in the red. Mr. Ternus pointed out that for every public dollar spent on transit, two dollars would be saved in private transportation. Mayor McClellan felt that the plan was a good one, but wanted the projected fiscal impact to be absorbed somewhere other than in the general fund ending balance.

Mr. Ternus stated that the fiscal impact of \$115,000 covered the cost of the first 4 years of operation with no federal funds. The 1977-78 impact was only \$9,750, the next year \$70,000 and the next year \$80,000, eventually building to \$115,000.

SUSAN REID, representing the League of Women Voters, stated that in 1971-1972 the League did a study on public transportation in Austin. Criteria for evaluating a transit plan were as follows:

1. Austin's entire population should be served, not just people who have no alternative transportation mode.
2. Public transportation service should decrease commuter cars enough to relieve peak hour congestion.
3. Service should be convenient, dependable, low-cost, clean, efficient, safe and attractive.
4. Operation of the system should provide for public control over routes, service and rates of fare.
5. A strong public relations program is extremely important to inform and educate the public.

Ms. Reid stated that the plan met the criteria established by the League and that the League endorsed the plan.

There was discussion between Councilmember Mullen and Ms. Reid about how economical the system would be, the level of ridership, increasing the cost of downtown parking to discourage use of cars and making bus fares comparable or cheaper than private transportation. There was further discussion between Councilmember Cooke and Ms. Reid as to whether or not public transportation should be a service such as fire and police protection, regardless of a deficit operating cost.

In response to Councilmember Mullen's question, Mr. Ternus stated that in terms of comparison, when the City took over the transit system, it was a skeletal system. During the first two years, there was a 30% ridership increase, then an 18% increase, and last year increased 6%. Reducing fares to one-half during off-peak hours created the greatest ridership increase. In response to Councilmember Himmelblau's question, Mr. Ternus said that ridership had increased nearly 100% since the City took over the transit system.

Mr. Ternus stated that before the Council made any major commitments to the transit system, the Urban Transportation Commission would present a report on transportation costs in Austin-Travis County over the last 5 years covering highway costs, transit costs, private costs and public costs.

JIM WELLS, with the Austin Tomorrow On-Going Goals Committee, read a letter from the Committee to Mr. Ternus which endorsed the transit plan.

SONYA ASHWORTH, representing We Care, endorsed the proposed transit plan, but cautioned that its flexibility could be used to support urban sprawl. She urged that the system be developed to support the Master Plan. She endorsed the concept that public transportation be a service, not a utility. She suggested that an all-day commuter pass be created to encourage commuting by bus. We Care believed that the proposal had great merit and should be adopted and implemented.

TOM SHEFELMAN, an architect, spoke in support of the proposed plan. He felt that by adopting and implementing the plan that Austin would be ahead of the coming fossil fuel problem.

In response to Councilmember Mullen's question, Mr. Ternus stated that it was being asked that the proposed transit plan be adopted as part of the Master Plan.

#### Motion

Councilmember Trevino moved that the Council close the public hearing and adopt the plan as a part of the Master Plan. Mayor Pro Tem Snell seconded the motion.

In response to Councilmember Himmelblau's question, Mr. Ternus said that by adopting the plan there would be an additional \$9,000 required in the operating budget this year and \$70,000 more next year. City Manager Davidson stated that there was no commitment for funding in the plan. He and Mr. Ternus would make a special point of clarifying any such proposal to insure that the Council understood what was coming about if they ever brought back any proposal to add the funding to either the operating portion of the transit system or the capital improvements portion.

#### Roll Call on Motion

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino,  
Mayor McClellan, Mayor Pro Tem Snell

Noes: None

#### Statement by Councilmember Cooke

"In analyzing this and realizing that a great deal of input has been made over several years, and I have been a member and participant of the Austin Tomorrow program too, I accept this in concept, but I hold my sincere reservation with regard to the CIP and the budget and will make my decision deliberation with regard to the direction we'll go at that time. I vote yes."

#### Statement by Councilmember Goodman

"I vote yes also, and applaud all those who participated in producing this plan. It is about time that we had such a plan, and in the future it is going to become ever more important to look for new ideas. Transportation is the biggest single problem that has plagued cities from Los Angeles to New York, and we already have some pretty significant traffic problems right now and this will give us a start on figuring things out in the future. When gasoline goes to a \$1.00 a gallon, maybe not everyone will be cruising around in big cars."

#### Statement by Councilmember Himmelblau

"I'll vote yes, but with the hope that this will not adversely effect the operating budget, either this year or for future years."

Councilmember Trevino stated that he thought it was time to make the beginning of a commitment which he hoped would continue.

Mayor Pro Tem Snell stated that he liked the idea of getting out of the system the City had been locked into for so long and that a new system would be tried.

#### TONI OATES DAY

Mayor McClellan read a proclamation designating August 25, 1977, as Toni Oates Day and citing this young girl, who as the youngest member of the United States Deaf Olympic Team, has brought honor to herself and her native City by winning three swimming medals at the 1977 Deaf Olympics in Romania. Miss Toni Oates received the proclamation, and her thanks were translated from sign language through an interpreter.

#### PARADE PERMIT

Councilmember Trevino moved that the Council approve the request for a Parade Permit from Fernando Tafoya for Texas Farmworkers Union, from 12:00 noon to 2:00 p.m., Monday, September 5, 1977, beginning at Capitol steps to Congress, left on 1st Street, left on Pedernales to Zaragosa Park. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmember Cooke  
Noes: None

#### EMERGENCY MEDICAL SERVICES

CAPTAIN A. C. FROHNAPFEL, President, Austin Fire Fighter Association, appeared before Council to discuss Emergency Medical Services. He said at a recent meeting of the Fire Fighters Association in Denver, the President of the organization had urged those in attendance to return to their hometowns and put forth every effort to do more for the people. The key word, he said, was production, without additional cost to the taxpayer. He said 18 months ago, he had requested that EMS be placed under Fire Department control. He said they did not ask for more pay, but pointed out they had supervisors, already on the payroll, that could administer the EMS operation in addition to their regular Fire Department duties. He said this would enable the fire stations to serve a double purpose with no additional cost to the taxpayers.

Capt. Frohnafel said he was here today to ask once more that EMS be placed under control of the Fire Department, with the following stipulations and suggestions:

1. In order that no one lose their job, retain the present civilian EMT's, but as they leave their job, they will be replaced with firefighters. He said right now they run with the EMS.

2. Control of personnel be administered by a Fire Department director.
3. Make immediate plans to conduct on-duty classes for citizens to learn CPR.
4. Eliminate Quality Control Board.

He said he realized there were a lot of details that would need to be worked out, but asked the Council's consideration of his request when they have received results of studies being made related to medical services. Capt. Frohnappel said he understood there had been proposed four additional EMS stations for the City at a cost of \$1,000,000. He said elimination of this cost would be eliminated by using what we already have..the fire stations.

Mayor McClellan thanked Capt. Frohnappel for his presentation. Councilmember Mullen, after posing a few questions, said he wanted the Council to look into this.

#### POOR BOY ARTS AND CRAFTS FAIR

Councilmember Himmelblau moved that the Council approve the request of MR. DAN VALDEZ, Chairman of the Board, Northwest Sertoma Club of Austin, for permission to use auditorium shores September 10 and 11, 1977, for the 14th Semi-Annual Poor Boy Arts and Crafts Fair. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor McClellan,  
Mayor Pro Tem Snell, Councilmembers Cooke, Goodman  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Trevino

#### DISPOSAL OF CITY REFUSE

MR. HANK ULBRIGHT appeared before the City Council to discuss the composting of waste in the City of Austin. He said rather than use artificial means of fertilization, the composting of garbage would be more beneficial.

#### EMERGENCY FUNDING FOR PARAMOUNT THEATRE

MR. JOHN BERNARDONI, President, Paramount Theatre, appeared before Council to request emergency funding of \$120,000 in lieu of HUD cancellation of HCD funds. He said the money is needed to fix the backstage area in order to meet the requirements of the Actor's Equity Association in New York and keep the Paramount from closing. The problem has been in existence for a year and a half, and they have worked very hard in every way to find the money. He said \$50,000 is needed immediately for the backstage area, and the \$70,000 is needed in order to have an opportunity to get a \$600,000 Economic Development Administration grant. He said EDA will not fund projects unless they are totally financially committed to. Mr. Bernardoni pointed out they had a two-week deadline to get the money in order to be eligible for the grant. It

is a Public Works Impact Project. He went on to say there are at least 50 projects all over the United States that are restoration projects subsidized by cities and towns. He also said this is a major step in the revitalization of downtown Austin, and the preservation of a historical landmark would be accomplished. He felt the taxpayers would be saved several million dollars in future years by not having to build a new theatre, and most importantly, the heirs of the building have agreed to donate the entire building.

Councilmember Himmelblau said she agreed that the Paramount Theatre should be preserved and felt there were several ways to accomplish this:

First, a portion of the money could be loaned to them from the Revolving Fund for Historic Preservation, and lend it to the Paramount Trust for 25 years with no interest. The second idea is that in 1975 the Friedman Council cut the bed tax from the Chamber of Commerce from 1/3 to 1/6. She said this 1/6 has been accruing and shows in the current budget at slightly over \$500,000. She suggested the Council take money from that fund also. Councilmember Himmelblau asked the City Manager to bring back a report regarding this by next Thursday. She said neither of these suggestions will interfere with the budget process which is now underway.

Councilmember Goodman stated both the previous and present Council have talked about doing something to revitalize the downtown area. He said he would like to go a step further and give Mr. Bernardoni a letter of commitment today. Councilmember Trevino said he also supported the idea that the Council commit itself now and let the City Manager come back with options. Mr. Bernardoni said they had to be done with initial construction by November 1, 1977, and it will take 1-1/2 months. The Mayor asked if he needed the commitment before September 1, 1977, the next Council meeting. He said it would be most helpful if he could have it. The Mayor felt they should wait and doublecheck available funds.

Councilmember Goodman said, "What I am suggesting is that either verbally or by letter we give him the commitment today that he's asking for because I think that is the course we are going to take. We are going to find the funds one way or the other and that's the commitment we are going to make. I'd like to just go ahead and put that into a motion, say, John, we're going to make this commitment to the Paramount Theatre and one way or the other we will find the funds. We're not going to commit it at this particular point to the Revolving Historic Fund or to the 1/6 or whatever. We'll find the \$120,000."

Councilmember Goodman moved that the Council adopt a resolution that the Council is hereby officially committed to fund the Paramount Theatre in the amount of \$120,000 for historic preservation. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

## ANNEXATION PUBLIC HEARING

Mayor McClellan opened the public hearing scheduled for 2:30 p.m. consider annexation of and directing the administration to institute annexation proceedings to annex the following:

84.82 acres of land out of the Thomas Anderson League, being all of the area to be subdivided into "The Village at Western Oaks" and the portion of Convict Hill Road adjacent to the 84.82 acre tract of land.

Dick Lillie, Planning Director, reviewed the annexation request and read comments from various City departments which would be effected.

Daron Butler, Budget Director, outlined how a fiscal note was prepared on an annexation. The 5-year projected cost of annexation was \$105,000, while revenues were projected as \$446,000. Cost of annexation was expected to have a marginal impact at this point. However, he expressed concern over what the fiscal impact would be if the City continued to annex the area in small parcels and suggested that a study be made of the entire area at one time.

JERRY LOBDILL, representing the McCarty Lane Neighborhood Association, made the following presentation in opposition to the requested annexation:

"My name is Jerry Lobdill. I represent the McCarty Lane Neighborhood Association, and I am here today to oppose the annexation of the Village at Western Oaks. We are adjacent to this property and have been gathering information on the project since last November.

The City Manager in his memo to you dated August 12 has stated that this subdivision is being routinely processed for annexation according to long standing City practice. I don't believe it is as simple as that, There are many considerations bearing on this annexation which should be dealt with. I regret that I can't do justice to all of them in this hearing. My main points are:

1. Non-compliance with the North-South growth objective of the Master Plan.
2. Inability of the City to provide fundamental service to the area in question.
3. Governmental obligation - basic services vs. apparent priorities.
4. Credibility of staff position.

These are my basic concerns. Let's take them one by one.

Non-Compliance with the Master Plan

I will be brief on this. This annexation, like the West Rim water and sewer issue, the Lost Creek water approach main, and the Scenic Brook West sewer approach main, and Wm. Cannon Drive to name a few, is clearly contrary to the expressed intent of the Master Plan regarding growth management. Every time a project like this is approved you are going to hear charges that the

August 25, 1977

city does not intend to implement the Master Plan. We have heard staff say "The beauty is in its flexibility", "It was not meant to be a stone wall around the City", and "It is not a constraining document". We now know what the Master Plan will not do, and we wonder what useful function it is intended to serve. Is it simply an imaginary benchmark from which we depart in random directions without concern?

I understand the Council has scheduled a work session on this topic for September 9. I urge you to continue this hearing until this issue can be resolved.

Provision of Fundamental Services to the Area in Question

You cannot now provide effective fire service to the area in question. Even with the construction of the fire station at Brodie Lane and Riddle Road in 1981 and the construction of Wm. Cannon in 1982 you will be providing substandard service to all areas served by the Manchaca Fire Station and the new station. Police protection in this area is now nonexistent, and the addition of one police officer as suggested in Daron Butler's fiscal note will not meet the requirements. Regarding fire protection, the Oak Hill Volunteer Fire Department has prepared the following assessment which needs to be in the public record:

MEMORANDUM

August 23, 1977

TO: Mayor and members of the City Council of Austin  
FROM: Oak Hill Vol. Fire Department, Michael Gissell, President  
SUBJECT: Fire Protection of City lands in the Oak Hill area

The McCarty Lane Neighborhood Association has informed us of the pending annexation of the Village of Western Oaks, located at the intersection of Beckett Lane and Convict Hill Road. McCarty Lane Neighborhood Assn. has indicated concern over the effect this annexation, and others rumored, will have on their fire protection and have asked us to assess the situation.

Because of this request and others, one being from the Austin Planning Department, we are submitting this memorandum.

The Oak Hill Volunteer Fire Department (OHVFD) receives no revenue from the City of Austin, and it is not obligated to provide fire protection service to areas inside the City limits. It is our opinion that the City cannot presently provide adequate fire protection to the now existing Western Oaks subdivision and will not be able to do so even when the proposed fire station at Brodie Lane and Riddle Road is brought into service in fiscal year 1980-1981.

Our opinion is based on the distances involved and the large areas requiring the services of these fire stations. The Manchaca Fire Station is three miles from Western Oaks at the closest point; assuming the proposed extension of Wm. Cannon Drive is constructed. The fire station at Riddle Road and Brodie Lane will be 3.6 miles from Western Oaks. The proposed single company fire station at Riddle Road and the Manchaca Station will be inadequate to provide the quality of fire protection to Western Oaks that is now available to those served by the OHVFD on adjacent lands. Annexation beyond Western Oaks, such as The Village of Western Oaks, will suffer degraded and inadequate fire protection as a result.

The Oak Hill Vol. Fire Dept. cannot provide fire protection to these areas, nor to future annexations along the proposed Wm. Cannon right of way. Consequently, the existing Western Oaks subdivision, the now developing West Creek subdivision and any future annexations along the proposed Wm. Cannon right of way will effectively be without fire protection for the foreseeable future.

It is important to realize that a volunteer fire department is manned and financed by its subscribers. We operate on a meager budget, and we do not have extra facilities to provide first response fire protection to areas from which we derive no revenue.

Signed: Michael Gissell  
Michael Gissell  
President, OHVFD

In our opinion, if the Village at Western Oaks must be developed now, the people there will have better fire protection, police protection, and emergency medical service if they are not a part of the City of Austin.

#### Governmental Obligations--Basic Services vs. Apparent Priorities

I used to think that it was the city's foremost obligation to provide basic services such as fire protection, public utility services, police protection, emergency medical service, garbage collection, street maintenance and so forth. How naive that idea was.

Apparently it is more important to spend city revenues in sycophantic anticipation of the whimsical needs of development interests and to join them in speculating on their continued prosperity using revenues derived (or to be derived) from taxes, utility revenues, and bond sales extracted from present taxpayers.

The present situation in Oak Hill is a classic example. The proposed city projects in the Oak Hill area will not benefit the taxpayers of Austin. All of these projects have been transparently gerrymandered. They will certainly be detrimental to the Oak Hill area if the "nearby commercial areas" alluded to by Mr. Davidson in his memo of August 12 become a reality.

At a time when the city has only 83% of the firemen it should have according to the State Board of Insurance's formula and the city is considering closing the Hancock Fire Station due to cost...at a time when the homes in Whispering Oaks in South Austin have inadequate water pressure...(at a time when the city manager says utility rates must be increased to pay debt service on the new water bond issue...) at a time when the City budget is strained to the ultimate limit...at a time when Austinites are already bearing extremely high tax and utility rate burdens we are here today listening to the Planning Department recommend an annexation which encourages further westward growth, which will cause further degradation of fire protection and water pressure over a broad area already in the City, which requires an expensive water approach main that has never appeared as a project in the CIP nor in the 1976 bond program, and, finally, which will require another bond issue in all probability.

The City will spend millions of dollars to extend this tentacle and nourish it while the taxpayers continue with substandard basic services and cough up the cost.

#### Credibility of Staff Position

The fiscal study drawn up for this hearing is an example of the difficulty the staff has with the truth, and I'm not blaming Mr. Butler for this. The Deputy City Manager has remarked in the past that residential annexations are not profitable, and I have also heard the same statements from Mr. Lillie and Mr. Knickerbocker and Mr. Shuler. The fiscal study encompasses a 5-year period and shows a 424% profit for the City for this period as a result of the annexation. I wish I knew where to get that kind of return on my money!

The study does not include all the costs the taxpayers will bear as a result. For example, I have two estimates of costs of the water approach main prepared by Paul Urbanek of Water/Wastewater. Totals for those estimates come to \$609,590 on March 3, 1977 and are revised downward to \$261,590 on March 18, 1977. Both estimates were submitted to Planning. These estimates do not include the costs of the major main extension I previously referred to. The pipe for it will run about \$824,000 at today's prices. In contract the total costs shown on the fiscal note are \$105,321.

#### Summary

The city cannot provide fire protection, EMS, and police protection to this area of the quality enjoyed by adjacent county lands. The project is in violation of the Master Plan, and an inordinate cost to the taxpayers will result while they will continue to struggle by with substandard basic services which will be further diluted and degraded as a result of the annexation. We believe you should vote against this annexation. At a minimum we request a postponement until after your work session on the Master Plan on September 9.

Thank you."

City Manager Davidson said that Mr. Lobdill's statement, "...at a time when the City Manager says utility rates must be increased to pay debt service on the new water bond issue..." was inaccurate and asked him to withdraw it. Mr. Lobdill agreed to withdraw the statement.

In response to Councilmember Himmelblau's question as to his residency, Mr. Lobdill stated that he lived in the ETJ. His land was contiguous to the City limits. The McCarty Lane Neighborhood Association which he represented also was in the Extraterritorial Jurisdiction. In response to Councilmember Mullen's question regarding the quality of EMS in the area, Mr. Lobdill stated that the Oak Hill Volunteer Fire Department could make a first response call where the City's EMS could not. Mr. Lobdill stated that the Oak Hill Volunteer Fire Department was on duty 24 hours a day.

J. W. SMITH, the developer who had requested the annexation, asked Mr. Lobdill if he or Mr. Shumate were members of the Oak Hill Volunteer Fire Department. Mr. Lobdill said that Mr. Shumate was a member. Mr. Smith pointed out that the Oak Hill VFD was on call 24 hours a day if members were home. He felt that the Austin Fire Department could respond quicker to a fire call than the Oak Hill VFD. He also believed that police protection response time was as good for the area as it was elsewhere in Austin.

Councilmember Himmelblau asked what the advantage was in taking in preliminary plats rather than waiting for the finals. Mr. Smith said that it cut down on the paperwork and work load of his personnel to annex the entire area at one time. The advantage to the City was the receipt of taxes on undeveloped land where no services were required.

Mayor Pro Tem Snell asked if the annexation was in compliance with the Master Plan. Mr. Lillie said that the area was outside the preferred growth corridor, but was within the City's service area with regard to CIP commitments. He saw no problem with the location of the subdivision, its annexation request and the Master Plan. Councilmember Himmelblau asked if water and sewer were there regardless of whether the area was annexed. Mr. Lillie replied that it had been extended to Western Oaks. Curtis Johnson thought that there was a 12-inch line running north and south in Beckett Road, between Western Oaks and the Village. All taps would be City controlled if paid for by the City.

Councilmember Cooke asked Chief Kirkham of the Austin Fire Department what his opinion was regarding response time for the area. Chief Kirkham stated that the response from Station #20 (6600 Manchaca Road) to the area was 7 minutes. Completion of William Cannon Drive and the building of a new station in the vicinity of Brodie Lane and Riddle Road would improve the response to an ordinary first response (3 to 4 minutes), which was within the State Board of Insurance standards.

Councilmember Cooke asked about police protection for the area. City Manager Davidson said that the City was not required to provide a full range of services for 3 years; however, it was City policy to proceed immediately with police and fire protection. Most of the area was undeveloped, but as it did develop, the Council would have to consider it in future budgetary requirements and the Police Chief would have to determine manpower allocations.

Mr. Smith stated that 60 families lived in Western Oaks and none of them was present to oppose the annexation.

Councilmember Goodman asked when and how the annexation request originated. Mr. Lillie stated that by a letter dated May 16, 1977, Mr. Smith requested annexation of the total area. Mr. Lillie then requested reports from various departments so that the Planning Department could process the application. Mr. Lillie said that he did not have a memo from Mr. Reed on file regarding annexation of Western Oaks. Mr. Reed stated that earlier he had received a telephone call from Mr. Smith requesting annexation and that he (Mr. Reed) had sent a memo to Mr. Lillie advising him that Mr. Smith had requested that the City proceed with annexation. Mr. Smith was told that the City preferred that he initiate the request since it was a subdivision.

JIM BOWEN wondered why the people in Western Oaks would favor annexation while not receiving City services. Mr. Lillie stated that Western Oaks was already inside the City limits. The issue today was The Village at Western Oaks, which was vacant.

Mr. Lobdill stated that he had a copy of the subject memo and that it dealt with The Village at Western Oaks. He then read the memo.

In response to City Manager Davidson's question, Mr. Lillie stated that he thought the memo dealt with the sequence of getting subdivision plats approved, not annexation. Mr. Smith stated that he had contacted the City to see if he could just put up financial arrangements for The Village at Western Oaks and not for Western Oaks at this time. It had nothing to do with annexation. He was told no and had posted a letter of credit for both subdivisions.

In response to Councilmember Himmelblau's question regarding the existing contract with Mr. Smith for utilities in the area, City Manager Davidson said that Phase I would be completed at a cost of about \$32,000. The remainder of the contract would be cancelled, regardless of the annexation.

Councilmember Cooke moved that the Council close the public hearing and instruct the administration to institute annexation proceedings to annex the following:

84.82 acres of land out of the Thomas Anderson League, being all of the area to be subdivided into "The Village at Western Oaks" and the portion of Convict Hill Road adjacent to the 84.82 acre tract of land.

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen  
Noes: None

#### PUBLIC HEARING TO AMEND HOTEL OCCUPANCY TAX RATE

Mayor McClellan opened the public hearing scheduled for 3:00 p.m. Councilmember Cooke indicated that the State Legislature had authorized cities to increase their hotel occupancy tax from 3% to 4%. He pointed out that there were several funding options available utilizing monies from the hotel occupancy tax.

MR. RUSH EVANS, President of the Austin Chamber of Commerce, told the Council that the hotel occupancy tax rate was of interest to the Chamber of Commerce because of all the tourism and conventions that come to the City. MR. ROBERT TINSTMAN, a member of the Austin Chamber of Commerce, outlined the following proposals:

1. That the hotel room occupancy tax be raised from 3% to 4%.
2. That the amount made available for the Convention Bureau be restored to the former 1% level in the City budget now being prepared, and thereafter, be increased by 1/3 each year for 3 years until the 2% level is reached.
3. That the Council give consideration to pledging a portion of the hotel room occupancy tax to a revenue bond debt issue for the construction of a fine arts theatre or some similar facility.

4. That the Convention Bureau Advisory Board be jointly established by the City Council and the Chamber of Commerce to advise both bodies and coordinate the various programs. This board would consist of 12 members representative of the Hotel/Motel Association, the Restaurant Association, the Mexican-American Chamber of Commerce, the Black community and four members appointed by the Mayor and City Council and four members appointed by the Austin Chamber of Commerce.

Mr. Tinstman recommended that these proposals be reflected in the form of an amendment to the existing contract between the City and the Chamber of Commerce.

MS. KATHY HILLIARD, Director of Sales of the Austin Hilton Inn, spoke, before the Council. She stated that the support of the Convention Bureau was needed to help increase the number of convention dollars spent in Austin. Ms. Hilliard indicated that there was a need to increase the budget in order to place the City of Austin back in competition for the convention dollar.

MS. LEILA J. AKIN-TINSTMAN spoke in favor of the tax increase. Ms. Tinstman presented a letter from Mr. Buckshot Price, Vice-President of the Restaurant Association, who also supported the tax increase.

Mr. Tinstman indicated that the tax increase would help to increase the City budget. He stated that the local convention budget was already behind the international standard. Mr. Tinstman indicated that some \$215,000 of tax revenues was brought into the City every year by persons attending conventions in Austin. He said that the ratio of return to the City was 5/1. He pointed out that conventions also meant jobs for unskilled persons. Mayor Pro Tem Snell stated that he felt more funds should be allocated in the direction of black culture. Mr. Tinstman indicated that the Chamber would welcome any help and cooperation from the black community to accomplish this.

MR. LLOYD WHEELER, President of the Austin Hotel/Motel Association, spoke before the Council. Mr. Wheeler felt that one of the City's major projects should be to enlarge the Municipal Auditorium. He stated that his Association was in favor of the tax increase but not the representation it would be getting on the Chamber of Commerce Board.

MR. ALAN LEONARD asked the Council to consider the cultural and historical funding that would become possible from the tax increase. Councilmember Cooke assured Mr. Leonard that the Council was aware of the stipulations of the new legislation.

MR. AL GOLDEN, Chairman of the Austin Arts Commission was in support of the tax increase. He felt that the arts could help attract additional tourism to the City. Mr. Golden recommended that a portion of the revenues collected from the additional hotel tax be allocated to the advancement of the arts in Austin.

MR. DON BELL asked that the tax share allocated to the Chamber of Commerce be restored to what it was previously. He also pointed out that the jobs which would be created by the tax increase were not career positions and that most of them would not even pay the minimum wage salary.

Councilmember Cooke moved that the Council close the public hearing and instruct the City Attorney to return to the Council the following week with an amendment to the ordinance increasing the hotel occupancy tax from 3 to 4 percent. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

Councilmember Goodman pointed out that the Council would deliberate on the distribution of funds at a later time. Councilmember Cooke felt that such deliberations could be included with the Council's budgetary considerations.

#### HEARING SET

Councilmember Goodman moved that the Council set a public hearing to permit the construction of a 16-inch water main in Lake Long Park from Decker Road to the power plant, on October 6, 1977 at 10:30 a.m. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor  
McClellan, Councilmember Cooke  
Noes: Mayor Pro Tem Snell

#### RELEASE OF EASEMENT

Councilmember Cooke moved that the Council adopt a resolution to authorize release of the following Easement:

Two public utilities easements seven and one-half (7.50) feet in width in Lots 2-A and 2-B, Resubdivision of Lot 1-A of the Resubdivision of Lot 1, Kramer Lane Subdivision. (Requested by Mr. Claude F. Bush, Jr., Registered Public Surveyor, representing Mr. C. T. Uselton, owner of Lots 2-A and 2-B)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor McClellan,  
Mayor Pro Tem Snell, Councilmembers Cooke, Goodman  
Noes: None

#### CONTRACTS APPROVED

Councilmember Goodman moved that the Council adopt a resolution to approve the following contract:

Texas State Library and the City of Austin in the amount of \$217,348, for the purchase of library materials and continuation of the Central Texas Library System Office and support programs.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor Pro Tem Snell,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None  
Not in Council Chamber when roll was called: Mayor McClellan

Councilmember Goodman moved that the Council adopt a resolution to approve the following contract:

City of Houston and the City of Austin in the amount of \$31,850, for access to the Film Library of Houston Area Library System by the Austin Public Library and 33 other member libraries of the Central Texas Library System.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor Pro Tem Snell,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None  
Not in Council Chamber when roll was called: Mayor McClellan

#### CETA TITLE VI

Councilmember Trevino moved that the Council adopt a resolution to authorize the negotiation of contracts with nineteen (19) non-profit agencies to operate Comprehensive Employment and Training Act (CETA) Title VI projects. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen  
Noes: None  
Not in Council Chamber when roll was called: Mayor McClellan

#### CANCELLATION OF CONTRACT

Councilmember Trevino moved that the Council adopt a resolution to authorize the cancellation of the following contract:

JACK A MILLER, INC.  
P. O. Box 9776  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM,  
Missouri-Pacific Railroad Drainage  
Improvements, Box Culverts at  
Stassney Lane - \$110,391.39.

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

## AWARDING OF CONTRACTS

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

JOE McDANIEL  
15203 Highway 71 West  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM,  
North Austin 36-inch water trans-  
mission main, Phase I - \$569,990.00.

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contracts:

INTERNATIONAL BUSINESS  
MACHINES CORPORATION  
1609 Shoal Creek Boulevard

- Lease with purchase option of Central  
Processing Unit; State and Local  
Government Plan, Data Systems Dept.  
Item No. 1; 1 ea. @ \$24,937.00/month

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

## SELECTION OF SERVICES

Councilmember Goodman moved that the Council adopt a resolution to select AUSTIN TESTING SERVICE for the Soils Investigation and Engineering Testing Services for the Fire Prevention and Training Academy, CAPITAL IMPROVEMENTS PROGRAM. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Goddman, Himmelblau, Mullen, Trevino,  
Mayor McClellan, Mayor Pro Tem Snell  
Noes: None

Councilmember Goodman moved that the Council adopt a resolution to select I.A.P. for architectural services for the new Carver Branch Library. CAPITAL IMPROVEMENTS PROGRAM. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell, Councilmember Cooke  
Noes: None

In reply to Councilmember Himmelblau's inquiry if I.A.P. had an architect, Mr. Carmichael stated that his firm was reorganizing and would be hiring an architect contingent on this contract.

Councilmember Trevino moved that the Council adopt a resolution to select SHILLSTONE ENGINEERING AND TESTING LABORATORIES, INC., for soils investigation services for the 345 KV transmission line from Fayette Power Plant to Austrop Substation. CAPITAL IMPROVEMENTS PROJECT. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman  
Noes: None

#### BLACKSHEAR PROJECT AREA

Councilmember Mullen moved that the Council adopt a resolution to approve the sale of structures on Parcel No. 4-7 in the Blackshear Project Area, Tex. A-11-2, to Norman Miller for \$900.00. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the disposition of Parcel No. R-1-4 and R-1-6 in the Blackshear Project Area, Tex A-11-2, to James Mosby for \$4,900.00. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

#### TOPICS

Councilmember Mullen moved that the Council adopt a resolution to terminate City of Austin participation in TOPICS Program. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen

#### U. T. SHUTTLE BUS ROUTE CHANGE

Councilmember Trevino moved that the Council adopt a resolution to authorize a route change for the University of Texas Shuttle Bus System during the 1977-78 school year. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

## MEDICAL RELATED TRIPS

Councilmember Trevino moved that the Council adopt a resolution to enter into contract with the State Department of Human Resources to provide transportation services for Medical-related trips to Department of Human Resources clients. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Trevino, Mayor McClellan  
Noes: None

## TRANSPORTATION TECHNICAL STUDIES GRANT

Councilmember Goodman moved that the Council adopt a resolution to submit an application to the Urban Mass Transportation Administration, for a Technical Studies Grant in the amount of \$70,000.00. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen,  
Trevino, Mayor McClellan, Mayor Pro Tem Snell  
Noes: None

## PARKING METER ZONES

Councilmember Cooke moved that the Council adopt a resolution to delete the following parking meter zone:

Parking Lot Zone 120 - Block 167, Lots 7 and 8 of the Original City (Visitor Parking Lot - Brackenridge Hospital)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell, Councilmember Cooke  
Noes: None

Councilmember Cooke moved that the Council adopt a resolution to install the following Parking Meter Zone:

Parking Lot Zone 30-60-90-120 - Block 168, Lots 7 and 8 of the Original City. (Visitor Parking Area, Brackenridge Parking Structure)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell, Councilmember Cooke  
Noes: None

## PARKING IN BRACKENRIDGE HOSPITAL COMPLEX

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 21, SECTION 21-31 OF THE AUSTIN CITY CODE OF 1967, BY ADDING A NEW SECTION (m); PROVIDING FOR THE CONTROL OF VEHICULAR PARKING IN OFF-STREET PARKING AREAS MAINTAINED BY THE CITY OF AUSTIN LOCATED IN THE BRACKENRIDGE HOSPITAL COMPLEX; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor  
McClellan, Mayor Pro Tem Snell, Councilmembers  
Cooke, Goodman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## FIRE SAFETY IN HIGH RISE BUILDINGS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 36 OF THE CODE OF THE CITY OF AUSTIN OF 1967, PROVIDING FOR THE AMENDMENT OF PART 1 OF ORDINANCE NO. 761109-E; ALTERING THE SECTIONS OF VOLUME #1 OF THE UNIFORM BUILDING CODE OF 1973 WHICH ARE ADOPTED; PROVIDING FOR THE AMENDMENT OF SECTION 1807(m)1(vi) OF THE UNIFORM BUILDING CODE OF 1973; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance amending the City of Austin Building Code to improve fire safety of high rise buildings. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor  
Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## IMPROVEMENTS TO COMMUNITY DEVELOPMENT DISTRICT #2

Mayor McClellan introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Trevino, Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## PAVING RUNDBERG LANE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF RUNDBERG LANE IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DEFINED, PERFORMED BY AUSTIN ROAD COMPANY AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Rundberg Lane)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Snell, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino  
Noes: None

The Mayor announced that the ordinance had been finally passed.

F.7. Ordinance 770825-I

setting ~~hearing~~ <sup>date.</sup> for bond sale 9-29-77

10:30 a.m.

caption goes here

## SUNSET ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR PERIODIC REVIEW OF CERTAIN BOARDS, COMMISSIONS AND COMMITTEES OF THE CITY OF AUSTIN; PROVIDING FOR A PROCEDURE FOR TERMINATING BOARDS, COMMISSIONS AND COMMITTEES; PROVIDING FOR THE SUSPENSION OF THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, amending the Sunset Ordinance to clarify the reporting period, to be September 1 through August 31. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen,  
Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Snell

The Mayor announced that the ordinance had been finally passed.

## DATE SET TO RECEIVE BOND BIDS

Mayor McClellan introduced the following ordinance:

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance setting Thursday, September 29, 1977, 10:30 A.M. CDT, to receive bids and authorize the sale of \$55,000,000 City of Austin Utility System Revenue Bonds, Series 2 and \$18,345,000 General Obligation Bonds, Various Purposes. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Mullen, Mayor Pro Tem Snell, Councilmember  
Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mr. Barker, Finance Administrator, said remaining authority will be borrowed to complete the hospital parking complex; issuing last of authority to complete libraries; public health bonds; fire station bonds; bonds for maintenance centers, airport, streets and bridges and drainage.

## FAIR HOUSING ORDINANCE - THIRD READING

Mayor McClellan brought up the following ordinance for final passage:

AN ORDINANCE DECLARING THE POLICY OF THE CITY TO BE IN FURTHERANCE OF THE RIGHT OF EACH INDIVIDUAL TO PROVIDE A DWELLING FOR SUCH PERSON AND/OR SUCH PERSON'S FAMILY, INCLUDING THE FINANCING THEREOF WITHOUT REGARD TO RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, PHYSICAL HANDICAP, OR STATUS AS A STUDENT; DEFINING TERMS; ADOPTING REGULATIONS CONCERNING FINANCING OF DWELLING; PROVIDING REGULATIONS CONCERNING BROKERAGE SERVICES; PROVIDING CERTAIN EXEMPTIONS AND EXCLUSIONS; ESTABLISHING A PROCEDURE FOR THE HANDLING OF COMPLAINTS; PROVIDING FOR REFERRAL OF CASES TO THE CITY ATTORNEY; OUTLINING THE DUTIES OF THE DIRECTOR AND THE COMMISSION; PROVIDING PENALTIES; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke moved that the ordinance be read the third time, and that it be finally passed, to include a new Section 12, moving all additional sections down one, to be titled:

SECTION 12. Status Reports to the City Council.

Each one hundred and twenty (120) days after the passage of this ordinance, the Director and the City Attorney shall submit to the City Council a status report on each complaint which has been on file, is pending, or has been disposed of under the provisions of this ordinance.

Councilmember Mullen seconded the motion.

Substitute Motion

Councilmember Trevino made a substitute motion to accept the original recommendation of the Human Relations Commission. The substitute motion, seconded by Mayor Pro Tem Snell, failed to carry by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Goodman, Trevino  
Noes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen

Substitute Motion

Councilmember Goodman made a substitute motion to include marital status in the ordinance. The motion, seconded by Mayor Pro Tem Snell, failed to carry by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Goodman, Trevino  
Noes: Councilmembers Cooke, Himmelblau, Mullen, Mayor McClellan

Substitute Motion

Councilmember Trevino made a substitute motion to do away with exemptions for people who own three units or less. The substitute motion, seconded by Mayor Pro Tem Snell, failed to carry by the following vote:

Ayes: Councilmembers Goodman, Trevino, Mayor Pro Tem Snell  
Noes: Councilmembers Cooke, Himmelblau, Mullen, Mayor McClellan

Substitute Motion

Mayor Pro Tem Snell made a substitute motion, seconded by Councilmember Goodman, that the Fair Housing Ordinance be rejected completely, because of cost.

Councilmember Trevino agreed with the motion, because he said it would be voting monies for something already protected under Federal Law. Mayor McClellan commented she believes there is merit in local enforcement, and said the ordinance as passed on the second reading goes beyond the Federal law on two points. She said it is a guess as to how much money it will take to enforce until they get into it and it will be remiss not to budget money to go with it. Councilmember Mullen said he had the annual report of the Human Relations Commission, which states, 210 cases in 1973, 166 in 1974, and 156 in 1975, which means the case load is dropping. As a result the present employees should be able to handle this. Mayor Pro Tem Snell commented he thought just one person would not be able to handle the cases which would be presented. Councilmember Goodman stated it would cost almost \$100,000 by the time inflation is added in to the fiscal note projection. He said he did not think this amount of money should be spent for a law that already exists.

Roll Call on Substitute  
Motion

Roll Call showed the substitute motion failed to carry by the following vote:

Ayes: Councilmembers Goodman, Trevino, Mayor Pro Tem Snell  
Noes: Councilmembers Himmelblau, Mullen, Mayor McClellan,  
Councilmember Cooke

Substitute Motion

Councilmember Trevino made a substitute motion that if the Mayor's ordinance passes, it should be named the Unfair Housing Ordinance. The motion, seconded by Mayor Pro Tem Snell, failed to carry by the following vote:

Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmember Goodman  
Noes: Councilmember Mullen, Mayor McClellan, Councilmember Cooke  
Abstain: Councilmember Himmelblau

Roll Call on Original Motion

(The original motion was made by Councilmember Cooke, seconded by Councilmember Mullen, that, in addition to the ordinance as passed on second reading on August 11, 1977, a new Section 12 will be included, moving all subsequent sections down one. Section 12 would be titled Status Reports to the City Council and stipulate: Each one hundred twenty (120) days after the passage of this ordinance, the Director and the City Attorney shall submit to the City Council a status report on each complaint which has been on file, is pending, or has been disposed of under the provisions of this ordinance).

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Mayor McClellan  
Noes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmember  
Goodman

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOTS 1 AND 2, BLOCK 6, HENRY ULIT'S SUBDIVISION, LOCALLY KNOWN AS 2701 MARTIN LUTHER KING, JR., BOULEVARD AND ALSO BOUNDED BY WALNUT AVENUE (SOUTHEAST CORNER), FROM "LR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (William J. Joseph, C14-77-038)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen's second, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Himmelblau  
Noes: None  
Abstain: Mayor Pro Tem Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
A 39.5 ACRE TRACT OF LAND BOUNDED BY EAST BEN WHITE BOULEVARD ON THE NORTH, JUDSON ROAD ON THE EAST, BURLESON ROAD ON THE SOUTH AND CHAPMAN LANE ON THE WEST, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (City of Austin, C14-77-018)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem  
Snell, Councilmembers Cooke, Himmelblau, Mullen  
Noes: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

## MONTHLY FINANCIAL STATEMENT

Mr. Monty Nitcholas, Finance Director, presented the Monthly Financial Statement for the period ending July 31, 1977. He referred the Council to the printed report which had been presented to each of them. He said the report meets the requirements of the City Charter and is more or less an accounting report. He said there were going to be some revisions in the report form at a later date. Mr. Nitcholas distributed a shorter report which highlighted the longer report. He said it reflected the operating portion of the government.

Mr. Dan Davidson reported the Council can expect a similar report each month on the agenda for the Council's information. Mr. Nitcholas commented that if the Council wanted to study a fund in depth, it might be possible to study one fund or one group of funds each time a report is presented.

## BRACKENRIDGE HOSPITAL ADVISORY BOARD

Mr. Homer Reed, Deputy City Manager, referred to the report of the Brackenridge Hospital Advisory Board, to the Council, in the form of a letter, discussing the funding and reimbursement for the State Department of Public Welfare and Texas Rehabilitation Commission.

Councilmember Mullen moved that the Council instruct the staff to bring back a resolution to formalize the funding and reimbursement for the State Department of Public Welfare and Texas Rehabilitation Commission, and bring it back to the Council next week or at a subsequent meeting. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mullen,  
Trevino

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem  
Snell, Councilmember Himmelblau

## CITY COUNCIL GOALS AND OBJECTIVES

Councilmember Cooke said he approved the recommendations of the Electric Utility Commission on Page 1, under Energy Resources. He said he questioned 1.e. to 1.f. and wanted more explanation. Mr. Jim Miller said that Mr. Hancock had commented as long as it is a feasibility type study it would give him no problem. Councilmember Goodman said there will be more revisions coming from boards and commissions and he urged postponement of action on this item. Mayor McClellan stated they should adopt policies and goals as they have them and then come back in four to six weeks, when the Council is finished with the budget, and take into consideration everything boards and commissions has suggested for revision. Councilmember Mullen made a motion to approve the goals and objectives, but Councilmembers Cooke and Goodman said they did not want to approve until all the blanks are filled. Mayor McClellan said this topic would be on next week's agenda.

ADJOURNMENT

The City Council adjourned its meeting at 6:50 p.m.

APPROVED

*Charles Ketter McClellan*  
Mayor

ATTEST:

*Grace Monroe*

City Clerk